



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Nikolaus THERES

Serial No.: 09/403,262

Filed: October 15, 1999

For: PLANTS WITH CONTROLLED SIDE-SHOOT FORMATION AND/OR CONTROLLED ABSCISSION ZONE FORMATION

Group Art Unit: 1638

Examiner: Ashwin Mehta

Atty. Dkt. No.: DEBE:016US/SLH

RECEIVED

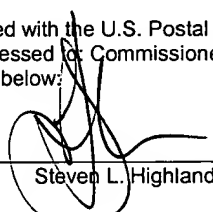
JAN 22 2004

TECH CENTER 1600/2000

**CERTIFICATE OF MAILING
37 C.F.R. §1.8**

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below:

January 12, 2004
Date


Steven L. Highlander

AMENDMENT AND REQUEST FOR RECONSIDERATION UNDER 37 C.F.R. §1.111

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This is in response to the Office Action mailed on September 12, 2003, the deadline for response being January 12, 2004, by virtue of the enclosed Petition for Extension of Time and payment of fees. No other fees are believed due; however, should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed materials, the Commissioner is authorized to deduct said fees from Fulbright & Jaworski L.L.P. Account No.: 50-1212/10211576/SLH.

Amendments begin on page 2 of this paper; **Remarks** begin on page 5.

01/20/2004 CNGUYEN 00000125 09403262

01 FC:1251

110.00 OP

25371771.1